

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRAND LITTLE, et al.,
Plaintiffs,

v.

PACIFIC SEAFOOD PROCUREMENT,
LLC, et al.,
Defendants.

Case No. [23-cv-01098-AGT](#)

**ORDER GRANTING MOTION TO
COMPEL**

Re: Dkt. No. 383

In March 2025, Plaintiffs served third-party Anna’s Seafood with a Rule 45 subpoena for records. *See* Dkt. 383-1, Middlemiss Decl. ¶¶ 3–5. The subpoena seeks relevant communications between American Seafood and other ex-vessel buyers of Dungeness crab. *See id.*, Ex. A. Anna’s Seafood had until April 9, 2024, to respond to the subpoena. *See id.* That deadline passed over five months ago, but Anna’s Seafood has not responded.

Plaintiffs have now moved to compel Anna’s Seafood’s compliance with the subpoena. Dkt. 383. An order compelling compliance with a subpoena is warranted when a subpoenaed nonparty “has not formally objected but has instead failed to respond.” *BBK Tobacco & Foods LLP v. Cent. Coast Agric., Inc.*, No. 21-MC-80189-DMR, 2021 WL 5507167, at *3 (N.D. Cal. Nov. 24, 2021) (quoting another source). As that is the case here, the Court grants Plaintiffs’ motion as unopposed.


Anna’s Seafood must therefore respond to the subpoena by September 29, 2025. The deadline for objections has passed, *see* Fed. R. Civ. P. 45(d)(2)(B), so Anna’s Seafood must

respond to the subpoena without objections. Failure to comply with this order may result in sanctions under Rule 45.

By September 16, 2025, plaintiffs must serve Anna's Seafood with a copy of this order, by any means reasonably calculated to provide actual notice, and file proof of service.

IT IS SO ORDERED.

Dated: September 15, 2025



Alex G. Tse
United States Magistrate Judge